

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA  
HARRISBURG DIVISION

IN RE:

MICHAEL LEE WINFREY

Debtor(s)

CHARLES DEHART

Movant

v.

MICHAEL LEE WINFREY

Respondent(s)

CHARLES DEHART

Trustee

)  
)  
Case No.: 1:15-02796  
Chapter 13

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

---

**OBJECTION TO MOTION TO CONVERT CHAPTER 13 CASE TO CHAPTER 7**

I, Sean P. Quinlan, am the Attorney for the above Debtor, Michael Lee Winfrey, of full age, hereby certify and say as follows:

1. I am an Attorney at Law and I represent the Debtor, Michael Lee Winfrey, in the above captioned case. I have full knowledge of the facts and circumstances hereof. I make this certification in Response and in Opposition to the Trustees Motion to re-convert debtors case to a Chapter 7.

2. On June 30, 2018 the above-referenced Debtor filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code and then on November 16, 2015 Debtor converted said case to Chapter 13.

3. On April 4, 2018 the Chapter 13 Trustee filed a Motion to Re-Convert the debtors case to a Chapter 7. The objection deadline for said Motion is today April 19, 2018. Said Motion was filed due to material default for failure to file an Amended plan per the stipulation agreed to on February 13, 2018.

4. Counsel for debtor was waiting confirmation from the debtor of the mortgage payout on the debtor's home for the increase in the plan payments.

5. On April 19, 2018 Counsel for Debtor filed a Motion to Modify the debtors plan with the Second Amended plan attached to said Motion which increases the debtors plan payments starting in October 2018, when his home is actually paid in full. This will allow the debtor to propose a feasible plan and pay the equity in the property to the estate.

6. The debtor requires this case to reorganize his debt pay the Unsecured creditors and protect the equity in his home.

Wherefore, Attorney for Debtor respectfully requests that the Court Deny the Trustees request to re-convert Debtors Chapter 13 Case and that Debtor be allowed to continue in this Chapter 13 Case.

Dated: 04/19/2018

/s/ Sean P. Quinlan,

Sean P. Quinlan, Attorney for Debtor  
2331 Market Street  
Camp Hill, PA 17011  
717-724-7503